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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/623,103	07/18/2003	Steven M. Blumenau	EMC03-10(98102) 2900	
75	90 09/22/2006		EXAM	INER
Barry W. Chapin, Esq.			THAI, TUAN V	
CHAPIN & HUANG, L.L.C. Westborough Office Park			ART UNIT	PAPER NUMBER
1700 West Park Drive			2186	
Westborough, MA 01581			DATE MAILED: 09/22/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
Office Action Summers	10/623,103	BLUMENAU, STEVEN M.				
Office Action Summary	Examiner	Art Unit				
	Tuan V. Thai	2186				
The MAILING DATE of this communication app Period for Reply	ears on the cover sheet with the c	orrespondence address				
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim vill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	N. nely filed the mailing date of this communication. D (35 U.S.C. § 133).				
Status		,				
1) Responsive to communication(s) filed on 03 Ma	Responsive to communication(s) filed on 03 May 2004.					
	action is non-final.					
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closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
	A parto quayro, 1000 O.B. 11, 10	0.0.210.				
Disposition of Claims	·					
4) Claim(s) <u>1-58</u> is/are pending in the application.						
4a) Of the above claim(s) is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.						
6) Claim(s) is/are rejected.						
7) Claim(s) is/are objected to.						
8) Claim(s) <u>1-58</u> are subject to restriction and/or e	election requirement.					
Application Papers		•				
9) The specification is objected to by the Examiner	r.					
10)⊠ The drawing(s) filed on <u>18 July 2003</u> is/are: a)⊠ accepted or b)□ objected to by the Examiner.						
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).						
Replacement drawing sheet(s) including the correcti						
11) The oath or declaration is objected to by the Exa		• •				
·		Action of format 10-102.				
Priority under 35 U.S.C. § 119	•					
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:						
· ·	The state of the state production in the state of the sta					
2. Certified copies of the priority documents have been received in Application No						
3. Copies of the certified copies of the priority documents have been received in this National Stage						
application from the International Bureau (PCT Rule 17.2(a)).						
* See the attached detailed Office action for a list of the certified copies not received.						
		•				
Attachment(s)	·					
Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413)						
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Da 5) Notice of Informal P					
i) Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application 6) Other:						
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Part III DETAILED ACTION

NOTIFICATION OF OBJECTION AND/OR REJECTIONS Election of Species/Restriction

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

Group I. Claim 1, drawn to a method for providing an interface to a data storage system by defining parameters of a volume within the data storage system, and providing the request to a computing device such that the request perceive the amount of data storage in the volume is greater than the actual area of available data storage space provided by actual storage devices associated with the volume, classified in Class 711, subclass 111.

Group II. Claims 2-58, drawn to a method for facilitating access to a storage system having multiple volumes by specifying the allocation of memory space within the storage system, classified in Class 711, subclass 170.

The inventions are distinct, each from the other for the following reasons:

The invention of groups I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, the invention of group I has separate utility such as a method of

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providing interface to a data storage system by simulating the available storage area to be greater the actual area data storage space provided by actual storage devices, and is not limited for use with a method for facilitating access to a storage system having multiple volumes by specifying the allocation of memory space within the storage system of group II. Similarly, the invention of group II can be used as a data allocation mechanism in a generic data processing system for providing allocation to a data storage system by keeping track of the corresponding size of the data storage partitions and is not restricted for use with the method for providing interface to a data storage system by simulating the available storage area to be greater the actual area data storage of group I. See M.P.E.P. \$ 806.05(d).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification and recognized divergent subject matter, and because the search required for one group is not coextensive with the search required for the other groups, restriction for examination purposes as indicated is proper.

- 2. Applicant is advised that the response to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed.
- 3. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in

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compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a diligently-filed petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(h).

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan V. Thai whose telephone number is (571)-272-4187. The examiner can normally be reached on from 6:30 A.M. to 4:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mathew M. Kim can be reached on (571)-272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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TVT/September 14, 2006

PRIMARY EXAMINER

Group 2100